IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.R. No. 4688 of 2006
Date of decision : 7.9.2006.

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Parties Name

Smt. Mukta Saxena

..... Petitioner

vs.

Ankur Saxena and others

.....Respondents

Coram: Hon'ble Mr. Justice S.N. Aggarwal

Present: Sh. Sudhir Aggarwal, Advocate
for the petitioner.

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S.N. Aggarwal, J.

Smt. Mukta Saxena -petitioner had filed the suit for permanent injunction against her husband Ankur Saxena and others. The respondents were proceeded against ex parte vide order dated 8.3.2006. They filed an application for setting aside the ex parte proceedings against them. This application was accepted by the learned trial Court vide impugned order dated 15.6.2006 on payment of costs of Rs.500/-. Aggrieved against this order, the present petition has been filed by Smt. Mukta Saxena-petitioner.

The submission of the learned counsel for the petitioner was that the respondents were properly served. They had intentionally

failed to appear in the learned trial Court and there was no justification for setting aside the ex parte proceedings against them.

This submission has been considered. Similar argument was raised on behalf of the petitioner before the learned trial Court. The learned trial Court in the exercise of its judicial discretion had accepted the application vide impugned order dated 15.6.2006 and the ex parte proceedings against respondents were set aside. This court finds no justification to interfere with the order dated 15.6.2006.

No merits. Dismissed.

(S.N.Aggarwal)
Judge

7.9.2006.
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